

1 PURITY ORGANIC, LLC,

2 Plaintiff,

3 v.

4 NATURAL FLAVORS, INC., et al.,

5 Defendants.

6 Case No. [15-cv-03310-DMR](#)

7

8

9 **ORDER OF DISMISSAL AS TO**  
**DEFENDANT ELAN CHEMICAL**  
**COMPANY, INC.**

10

11

12

13 The court has received the joint notice of settlement between Plaintiff Purity Organic, LLC

14 and Defendant Elan Chemical Company, Inc. dba Elan Inc. (“Elan”). [Docket No. 90.] The court

15 having been advised that Plaintiff and Defendant Elan have agreed to a settlement of this case, IT

16 IS HEREBY ORDERED that Plaintiff’s claims against Defendant Elan are dismissed in their

17 entirety with prejudice; provided, however, that if either party shall certify to this court, within 30

18 days, with proof of service of a copy thereon to opposing counsel, that the agreed consideration for

19 said settlement has not been delivered over, the foregoing Order shall stand vacated. The July 28,

20 2016 hearing on Defendant Elan’s motion for summary judgment (Docket No. 72) is VACATED.

21

22 **IT IS SO ORDERED.**

23 Dated: June 27, 2016



24

25 DONNA M. RYU  
United States Magistrate Judge

26

27

28